

REMARKS

This amendment is in response to the Official Action dated May 2, 2005. The drawings and specification have been amended. Claims 1, 6, 9, 14, 15, 16 and 18 have been amended, Claims 5, 12, 13 and 17 have been cancelled and new Claim 21 has been added. The application now includes Claims 1-4, 6-11, 14-16 and 18-21 with Claims 1, 9 and 16 being the only independent claims. Favorable reconsideration, in view of the above amendments and accompanying remarks, is respectfully requested.

In paragraphs 1-3 of the Official Action, the Examiner has objected to the drawings and/or the specification for the reasons noted therein. It is believed that the above proposed changes to the drawings and/or the specification overcomes the Examiner's objections.

In paragraph 4 of the Official Action, the Examiner has objected to Claim 11 and 12 for the reason noted therein. It is believed that the cancellation of Claim 12 overcomes this objection.

In paragraphs 5 and 6 of the Official Action, the Examiner has rejected Claims 6, 14-15 and 18 for the reason noted therein. It is believed that the above changes to these claims overcome these rejections.

In paragraphs 7 and 8 of the Official Action, the Examiner has rejected Claims 1-2, 5-8, 16-18 and 20 under the provisions of 35 U.S.C. 103(a) as being unpatentable over Evans (5180037 in view of Ikeda (6390248) and further in view of figure 3 of applicant's admitted prior art in the instant application. These rejections are respectfully traversed in light of the amendments to the claims.

As amended, Claim 1 now defines the invention as a drum-in-hat disc brake assembly having a disc service brake and a drum-in-hat parking and emergency brake, the drum-in-hat disc brake assembly comprising: a backing plate adapted to support a drum brake shoe assembly of the drum-in-hat parking and emergency brake; a caliper bracket adapted support a disc brake caliper assembly of the disc service brake; and a drum-in-hat adapter adapted to support a disc brake caliper assembly of the disc service brake; wherein the drum-in-hat parking and emergency brake includes a park brake cable end assembly including a lever pivotally supported on a link and a parking brake cable operatively connected to the lever, the lever including a main body, a first

end and a second generally G-shaped end which is adapted to accommodate either the parking brake cable having a S-shaped cable end or a clevis shaped cable end, the G-shaped end having a rear leg, a bottom leg, a front leg and a slot formed therein, the slot including an outermost opening defined between a first surface of the front leg and a surface of the main body, an intermediate opening defined between a surface of the rear leg and a second surface of the front leg, and an innermost opening defined between the surface of the rear leg and a third surface of the front leg, wherein at least a portion of the surface of the main body is spaced apart from and in overlaying relationship with at least a portion of the first surface of the front leg so as to project over and cover the at least a portion of the first surface of the front leg and wherein when the parking brake cable is connected to the lever said parking brake cable can be pulled only in the direction of the front leg. None of the cited references, alone or in combination, discloses or suggests such a drum-in-hat disc brake assembly as now defined in Claim 1.

Specifically, neither Ikeda nor figure 3 of applicant's admitted prior art discloses or suggests a drum-in-hat disc brake assembly having a lever including a main body, a first end and a second generally G-shaped end which is adapted to accommodate either the parking brake cable having a S-shaped cable end or a clevis shaped cable end, the G-shaped end having a rear leg, a bottom leg, a front leg and a slot formed therein, the slot including an outermost opening defined between a first surface of the front leg and a surface of the main body, an intermediate opening defined between a surface of the rear leg and a second surface of the front leg, and an innermost opening defined between the surface of the rear leg and a third surface of the front leg, *wherein at least a portion of the surface of the main body is spaced apart from and in overlaying relationship with at least a portion of the first surface of the front leg so as to project over and cover the at least a portion of the first surface of the front leg and wherein when the parking brake cable is connected to the lever said parking brake cable can be pulled only in the direction of the front leg*, as recited in Claim 1. (Emphasis added). Accordingly, it is believed that Claim 1, along with dependent Claims 2-5, 7 and 8, are patentable over the cited references.

Claim 9 contains similar limitations to that of Claim 1. Accordingly, for those reasons discussed above with respect to Claim 1, it is believed that Claim 9, along with dependent Claims 10, 11, 14, 15 and 21, are patentable over the cited references.

Claim 16 contains similar limitations to that of Claim 1. Accordingly, for those reasons discussed above with respect to Claim 1, it is believed that Claim 16, along with dependent Claims 18, 19 and 20, are patentable over the cited references.

In view of the above amendments and accompanying remarks, it is believed that the application is in condition for allowance. However, if the Examiner does not believe that the above remarks and amendments place the application in condition for allowance, or if the Examiner has any comments or suggestions, it is requested that the Examiner contact the Applicants attorney at (419) 255-5900 to discuss the application prior to the issuance of an action in this case by the Examiner.

AMENDMENTS TO THE DRAWINGS

Please amend the drawings as follows: drawing Fig. 2 by changing reference character 22 to 24 and adding reference character 81; drawing Fig. 3 by adding reference character 138; and drawing Fig. 4 by adding arrow and label “pulling direction”, as shown in red on the attached drawing sheets. Attached herewith are “Replacement Sheets” of Figs. 2, 3 and 4 and “Annotated Marked-Up Drawings” of Figs. 2, 3 and 4. No new matter has been added. Formal drawings will be submitted upon approval of these changes and issuance of a Notice of Allowance.

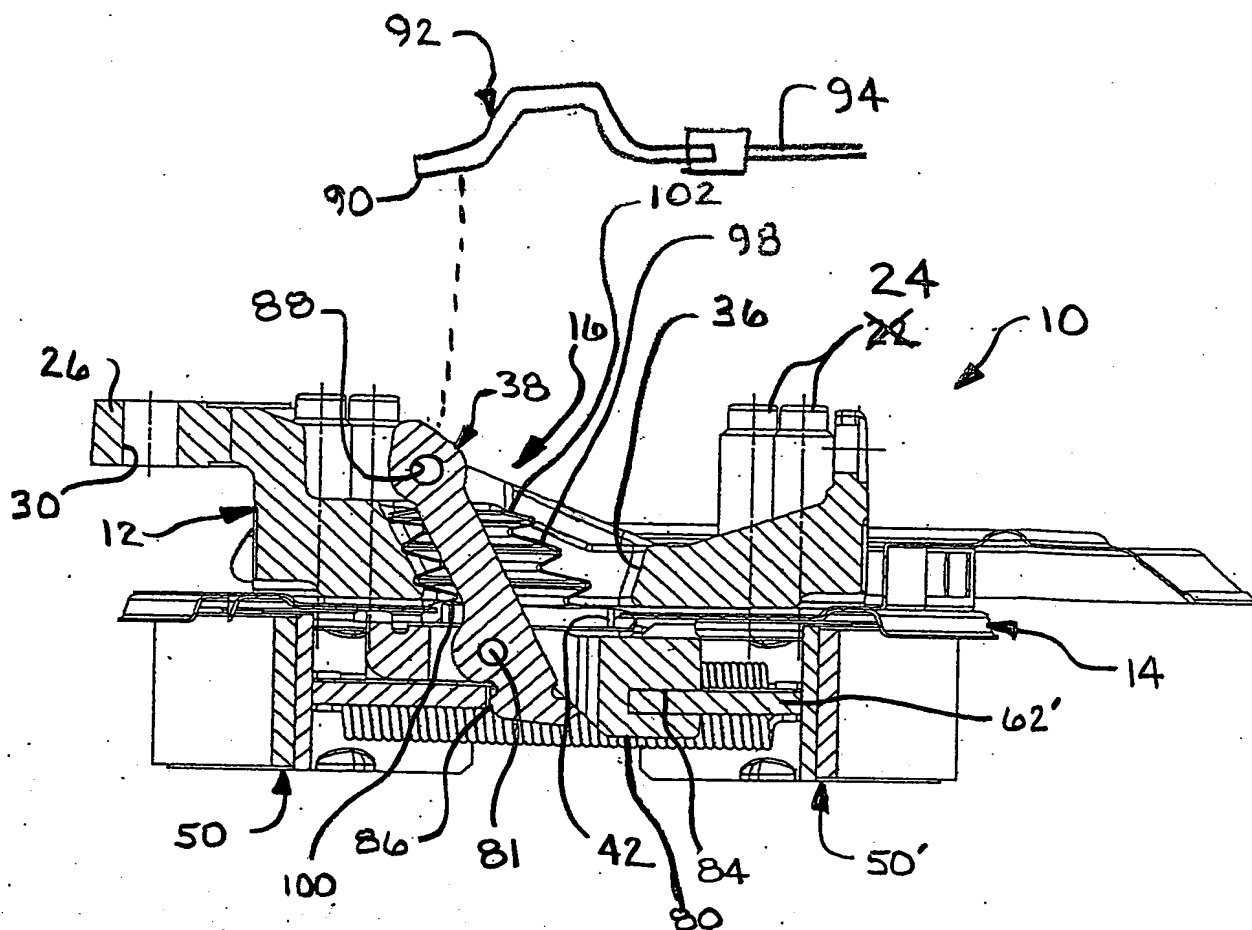


FIG. 2
PRIOR ART

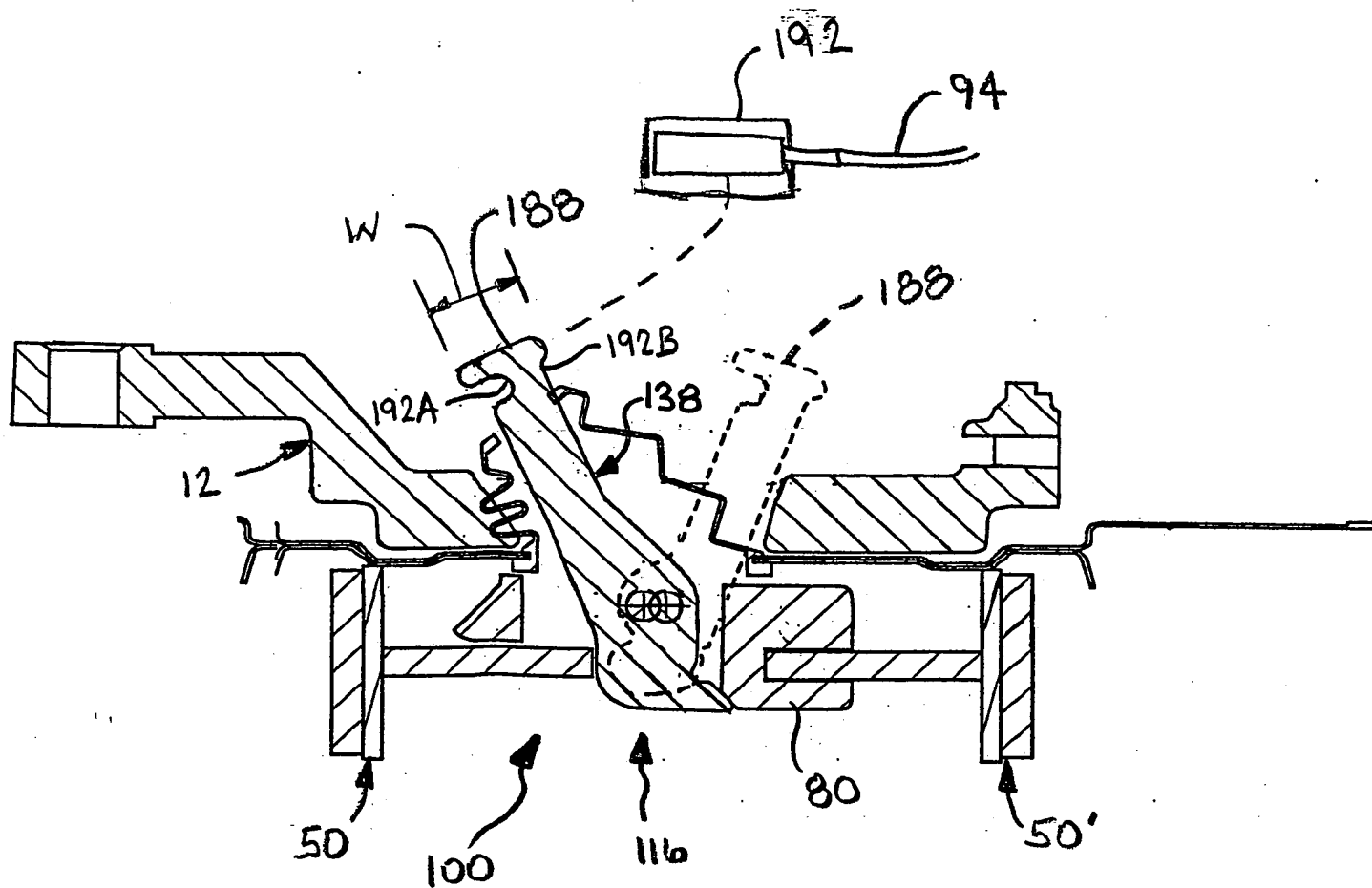


FIG. 3

PRIOR ART

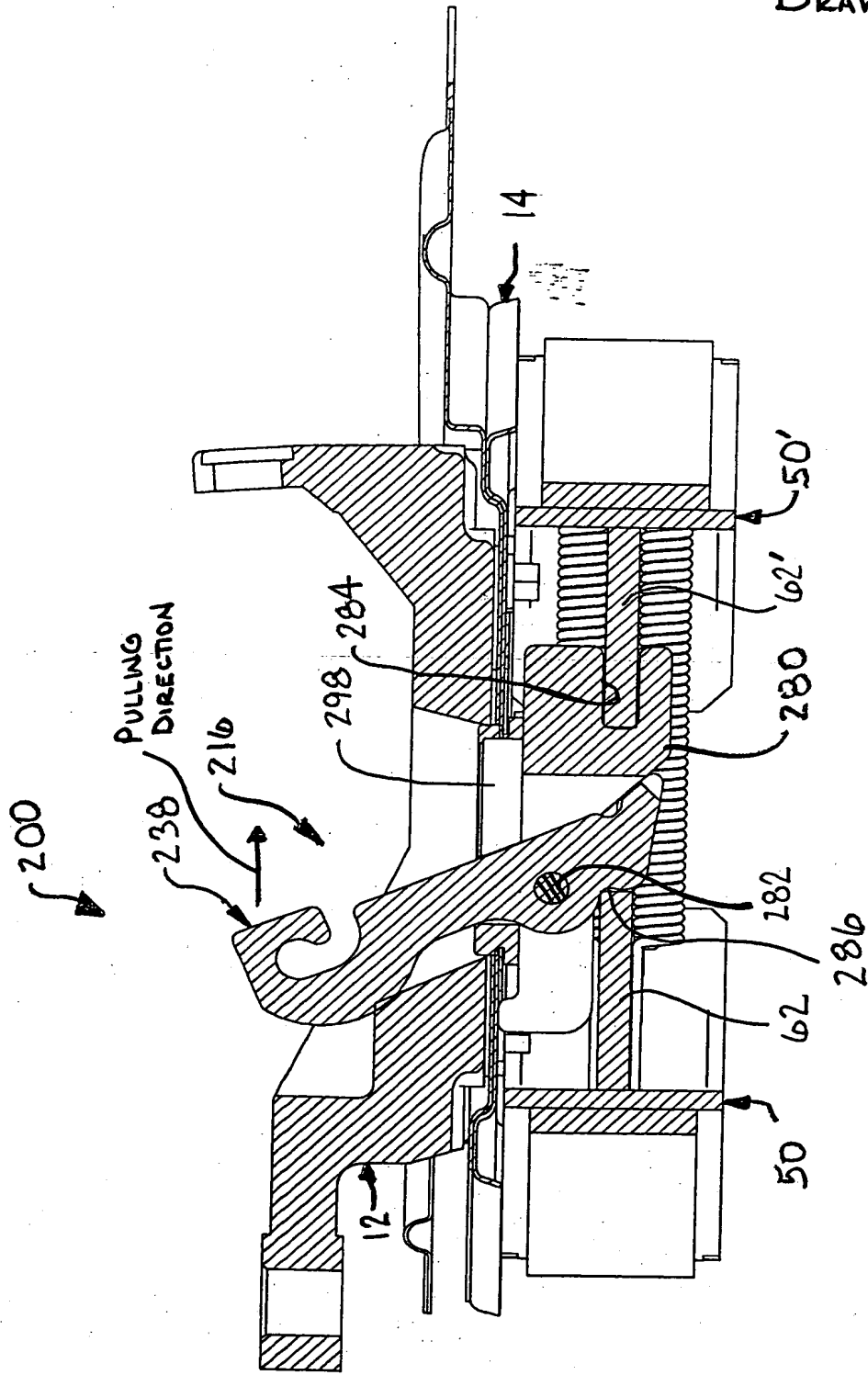


FIG. 4